



STATE OF MAINE
DEPARTMENT OF CONSERVATION
MAINE LAND USE REGULATION COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

JOHN ELIAS BALDACC
GOVERNOR

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PATRICK K. MCGOWAN
COMMISSIONER

NOTICE OF PUBLIC HEARING

REZONING PETITION TO ALLOW SECURE CONSTRUCTION/DEMOLITION DEBRIS LANDFILL FOR A PORTION OF MAP 1 LOT 14 IN NO. 14 TWP., WASHINGTON COUNTY, MAINE

PURPOSE: The Maine Land Use Regulation Commission is seeking public comment on the proposed secure construction/demolition debris landfill (Zoning Petition ZP 703) for a portion of Map 1 Lot 14 in No. 14 Township as requested by Marion Transfer Station, Inc., PO Box 223, Pembroke, Maine.

The purpose of the hearing is to allow the applicant, interested groups and the general public the opportunity to present testimony and evidence as to whether the applicant's proposal meets the statutory criteria for approval under provisions of 12 M.R.S.A., Section 685-A (8-A) and the Commission's criteria for review under the following provisions of its Land Use Districts and Standards:

Section 10.08, A

"A land use district boundary may not be adopted or amended unless there is substantial evidence that:

1. The proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan and the purpose, intent and provisions of this chapter; and
2. The proposed land use district satisfies a demonstrated need in the community or area and has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area.

Only testimony relevant to these review criteria will be allowed.

TIME AND PLACE: The hearing will be held on Thursday, November 9, 2006 in Machias, Maine. The location will be the Science Building, Room 102, on the University of Maine at Machias campus. The hearing will begin at 6:00 P.M.

HOW TO PARTICIPATE: All interested persons are invited to attend and offer testimony which would have a bearing on this proposal. The public is not required to submit written testimony before the hearing, nor file Petitions to Intervene, in order to testify. Members of the public may simply attend the hearing and give oral testimony.

Persons interested in seeking Intervenor status in this matter must file a Petition to Intervene with the Commission pursuant to the applicable provisions of the Maine Administrative Procedures Act (5 M.R.S.A., Chapter 375) and Chapter 5 of the Commission's rules by 5:00 P.M. on Wednesday, October 25, 2006. The Commission will act on any such petitions on November 1, 2006, at its regularly scheduled Commission meeting or immediately prior to the Public Hearing, at the Commission's discretion.

The record of the November 9, 2006, hearing will remain open until Monday, November 20, 2006, to allow interested persons to file written statements with the Commission, and for an additional 7 days until Monday, November 27, 2006, to allow interested persons to file written statements in rebuttal of statements filed during the previous period. The record of the hearing will then close.

CATHERINE M. CARROLL, DIRECTOR

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Written comments should be sent to Maine Land Use Regulation Commission, 22 State House Station, Augusta, Maine, 04333-0022. Comments may also be submitted by e-mail to charlie.corliss@maine.gov.

DISABILITIES: Persons with disabilities planning to attend the hearing are requested to inform the Commission in advance so that arrangements can be made for services they may require.

FOR ADDITIONAL INFORMATION: A full copy of the submitted application may be viewed at the Commission's regional office in Cherryfield (207-546-4405), or at the Commission's main office at 18 Elkins Lane in Augusta (207-287-2631). To view the application, please call the respective office in advance.

LEGAL AUTHORITY: The hearing will be held under authority of 12 M.R.S.A., Chapter 206-A and will be conducted in accordance with the Commission's Rules for the Conduct of Public Hearings.